

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE: Reissue Application of Dillis V. Allen
and Scott R. Longueil
PATENT NO: 5,938,541
ISSUED: August 17, 1999
SERIAL NO: 08/960,966
FILED: 10-30-97
FOR: GOLF CLUB HEAD WITH SHORTENED HOSEL AND FERRULE
REISSUE
SERIAL NO:
FILED:

U.S. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

REISSUE APPLICATION DECLARATION

Honorable Sir:

We, Dillis V. Allen and Scott R. Longueil, being duly sworn, depose and say that we are citizens of the United States of America, and residents of Elgin, Illinois and Schaumburg, Illinois respectively; that we verify believe ourselves to be the original, first and sole inventors of the invention described and claimed in U.S. Letters Patent No. 5,938,541, for which invention we solicit a Reissue Patent; that we do not know and do not believe that said invention was ever known or used in the United States of America before our invention thereof; that it is claimed that such Patent is inoperative or invalid by reason of the Patentees claiming more or less than they had the right to claim in the Patent, and the following is a distinct specification of the excess or insufficiency in the Claims, particularly specifying the errors relied upon, and how they arose or occurred. These errors arose without any deceptive intention on the part of the applicants, and applicants acknowledge the duty to disclose to the Office all information known to applicants to be material to patentability as defined in 37 CFR 1.56.

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Original Claims 1, 6, and 7, in the Patent read as follows:

Claim 1: A golf club head, comprising: a golf club head including a ball striking face and a top wall, means to reduce club head weight and permit the saved weight to be redistributed in the club head including a light weight hosel in the club head having a top surface that is coplanar with or projects upwardly a short distance from the top wall, and a ferrule constructed of a material substantially lighter than the club head mounted against the top surface of the hosel, said ferrule having a downwardly depending flange seated in a groove in the club head to resist side loading on the ferrule, said ferrule having an upper small diameter portion and a lower large diameter portion to blend into the upper surface of the top wall adjacent the hosel, said ferrule having an outer surface that curves outwardly from the upper portion to the lower portion sufficiently so its lower end is tangent to the upper surface of the top wall adjacent the hosel.

Claim 6: A golf club head, comprising: a metallic golf club head including a ball striking face and a top wall, means to reduce club head weight and permit the saved weight to be redistributed in the club head including a light weight hosel integral with the club head with a top surface coplanar with or projecting upwardly from the top wall less than 0.200 inches, said hosel having a shaft receiving bore therein, an annular groove in the club head coaxial with the hosel bore, and a lightweight non-metallic ferrule seated on the hosel top surface, said ferrule having an integral downwardly depending annular flange seated in the annular groove in the club head to resist side loading on the ferrule, said ferrule having an upper small diameter

portion and a lower large diameter portion to blend into the upper surface of the top wall adjacent the hosel, said ferrule having an outer surface that curves outwardly from the upper portion to the lower portion sufficiently so its lower end is tangent to the upper surface of the top wall adjacent the hosel.

Claim 7: A golf club head, comprising: a metallic golf club head including a ball striking face and a top wall, means to reduce club head weight and permit the saved weight to be redistributed in the club head including a light weight hosel integral with the club head with a top surface coplanar with or projecting upwardly from the top wall less than 0.200 inches, said hosel having a shaft receiving bore therein, a threaded counter bore in the top of the hosel bore, and a lightweight non-metallic ferrule seated on the hosel top surface having an integral threaded downwardly depending annular flange threadedly seated in the hosel counter bore to resist side loading on the ferrule, said ferrule having an upper small diameter portion and a lower large diameter portion to blend into the upper surface of the top wall adjacent the hosel, said ferrule having an outer surface that curves outwardly from the upper portion to the lower portion sufficiently so its lower end is tangent to the upper surface of the top wall adjacent the hosel.

During the process of conducting discovery in the case of *Vardon Golf Company, Inc. v. Karsten Manufacturing Corporation*, Case No. 99 C 6934, in the United States District Court for the Northern District of Illinois, Eastern Division, the litigation attorneys for Vardon Golf Company, the assignee of U.S. Patent No. 5,938,541, found the phrase "having a top surface that is coplanar with and projects upwardly a short distance from the top wall" to be an unneces-

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sary limitation to the Claims in view of the prior art and the prosecution of the underlying application, U.S. Serial No. 08/960,966, Filed: 10-30-97, and also concluded that the term "tangent" was unnecessarily restrictive. This discovery was made during or about the week of March 12, 2001. The litigation attorneys also suggested that these errors could be corrected by a Reissue Application, a suggestion made to counsel for Vardon Golf Company.

New Claim 8 corresponds substantially to original Patent Claim 1 with the deletion of the phrase "having a top surface that is coplanar with or projects upwardly a short distance from the top wall", and also recites that the ferule is mounted "adjacent the hosel".

Claim 9 corresponds substantially to original Patent Claim 6 with the cancellation of "on the hosel top surface" in lines 5 and 6, and the substitution therefor with the phrase "adjacent the hosel".

Claim 10 corresponds substantially with original Patent Claim 8 with the substitution of the phrase "substantially tangent" for the word "tangent".

Claim 11 corresponds substantially with new Claim 9 discussed above with the substitution of the phrase "substantially tangent" for "tangent".

Claim 12 corresponds to original Claim 7 with the substitution of the phrase "substantially tangent" for the word "tangent".

Declarants understand and are warned that wilful false statements and the like are punishable by fine or imprisonment, or both, (18 USC 1001), and may jeopardize the validity of the application or any Patent issuing thereon, and state that all statements made of the Declarants' own knowledge are true and that all statements made on information and belief are believed to be true.

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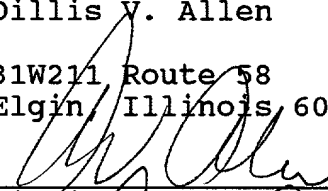
Inventor's Full Name:

Dillis V. Allen

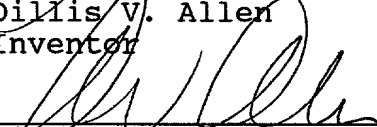
Post Office Address:

31W211 Route 58
Elgin, Illinois 60120

Date: MARCH 27 2001



Dillis V. Allen
Inventor



Dillis V. Allen, President
Vardon Golf Company, Inc.
Assignee

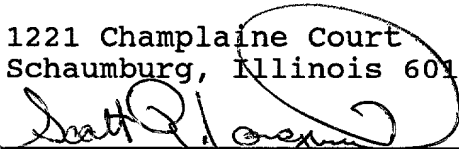
Inventor's Full Name:

Scott R. Longueil

Post Office Address:

1221 Champlaine Court
Schaumburg, Illinois 60193

Date: MARCH 27, 2001



Scott R. Longueil
Inventor

Applicant or Patentee: Dillis V. Allen Attorney's
 Serial or Patent No.: _____ Docket No.: G-38
 Filed or Issued: _____
 For: GOLF CLUB HEAD WITH SHORTENED HOSEL AND FERRULE

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
 (37 CFR 1.9 (f) and 1.27 (b)) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9 (c) for purposes of paying reduced fees under section 41 (a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled GOLF CLUB HEAD WITH SHORTENED HOSEL AND FERRULE described in

- the specification filed herewith
- application serial no. _____, filed _____
- patent no. _____, issued _____

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9 (c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract of law to assign, grant, convey, or license any rights in the invention is listed below:

- no such person, concern, or organization
- persons, concern or organizations listed below*

*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME WARDON GOLF COMPANY, INC.
 ADDRESS 1080 Nerge Road - Suite 205, Elk Grove Village, Illinois 60007
 INDIVIDUAL SMALL BUSINESS CONCERN NONPROFIT ORGANIZATION

FULL NAME _____
 ADDRESS _____
 INDIVIDUAL SMALL BUSINESS CONCERN NONPROFIT ORGANIZATION

FULL NAME _____
 ADDRESS _____
 INDIVIDUAL SMALL BUSINESS CONCERN NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b))

hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statements is directed.

<u>Dillis V. Allen</u>		
NAME OF INVENTOR	NAME OF INVENTOR	NAME OF INVENTOR
Signature of Inventor	Signature of Inventor	Signature of Inventor

<u>March 26, 2001</u>		
Date	Date	Date

Applicant or Patentee: Dillis V. Allen Attorney's
Serial or Patent No.: _____ Docket No.: G-38
Filed or Issued: _____
For: GOLF CLUB HEAD WITH SHORTENED HOSEL AND FERRULE

VERIFIED STATEMENT (DECLARATION). CLAIMING SMALL ENTITY STATUS
(37 cfr 1.9 (f) and 1.27 (c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

- the owner of the small business concern identified below:
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN VARDON GOLF COMPANY, INC.
ADDRESS OF CONCERN 1080 Nerge Road - Suite 205
Elk Grove Village, Illinois 60007

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9 (d), for purposes of paying reduced fees under section 41 (a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled, GOLF CLUB HEAD WITH SHORTENED HOSEL AND FERRULE by inventor(s) Dillis V. Allen and Scott R. Longueil described in

- the specification filed herewith
 application serial no. _____, filed _____
 patent no. _____, issued _____

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9 (d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME _____
ADDRESS _____
 INDIVIDUAL SMALL BUSINESS CONCERN NONPROFIT ORGANIZATION

NAME _____
ADDRESS _____
 INDIVIDUAL SMALL BUSINESS CONCERN NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Dillis V. Allen
TITLE OF PERSON OTHER THAN OWNER President
ADDRESS OF PERSON SIGNING 1080 Nerge Road - Suite 205
Elk Grove Village, Illinois 60007
SIGNATURE [Signature] DATE March 28, 2001

Applicant or Patentee: Scott R. Longueil Attorney's
Serial or Patent No.: _____ Docket No.: G-38
Files or Issued: _____
For: GOLF CLUB HEAD WITH SHORTENED HOSEL AND FERRULE

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9 (f) and 1.27 (b)) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9 (c) for purposes of paying reduced fees under section 41 (a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled GOLF CLUB HEAD WITH SHORTENED HOSEL AND FERRULE described in

- the specification filed herewith
 application serial no. _____, filed _____
 patent no. _____, issued _____

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9 (c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract of law to assign, grant, convey, or license any rights in the invention is listed below:

- no such person, concern, or organization
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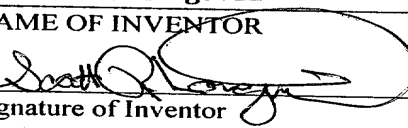
FULL NAME WARDON GOLF COMPANY, INC.
ADDRESS 1080 Nerge Road - Suite 205, Elk Grove Village, Illinois 60007
 INDIVIDUAL SMALL BUSINESS CONCERN NONPROFIT ORGANIZATION

FULL NAME _____
ADDRESS _____
 INDIVIDUAL SMALL BUSINESS CONCERN NONPROFIT ORGANIZATION

FULL NAME _____
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Scott R. Longueil
NAME OF INVENTOR _____ NAME OF INVENTOR _____ NAME OF INVENTOR _____
 Signature of Inventor _____ Signature of Inventor _____
MARCH 27, 2001
Date _____ Date _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE: Reissue Application of Dillis V. Allen
and Scott R. Longueil
PATENT NO: 5,938,541
ISSUED: August 17, 1999
SERIAL NO: 08/960,966
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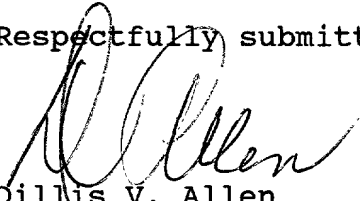
U.S. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

ASSIGNEE'S STATEMENT UNDER 37 CFR 3.73

Honorable Sir:

In accordance with the provisions of 37 CFR 3.73, the assignee of the present application, Vardon Golf Company, Inc., hereby establishes its ownership to the satisfaction of the Commissioner by submitting to the Office documentary evidence of a chain of title from the original owners to the assignee in the form of a copy of executed Assignments from the inventors of U.S. application Serial No. 08/960,966 Filed: October 30, 1997, entitled GOLF CLUB HEAD WITH SHORTENED HOSEL AND FERRULE, now U.S. Patent No. 5,938,541 Issued: August 17, 1999, to Vardon Golf Company, Inc., recorded on October 30, 1997, Reel No. 8875, Frame No. 0147 and 0176.

Respectfully submitted,


Dillis V. Allen
President
Vardon Golf Company, Inc.

Dillis V. Allen, Esq.
1080 Nerge Road - Suite 205
Elk Grove Village, IL 60007
847/895-9100

RECORDED 830230

ASSIGNMENT AND AGREEMENT

In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, I, Scott R. Longueil, residing at 1221 Champlaine Court, Schaumburg, Illinois 60193, do hereby sell, assign and transfer to VARDON GOLF COMPANY, INC., 1080 Nerge Road, Suite 205, Elk Grove Village, Illinois 60007, and its successors, assigns and legal representatives, the entire right, title and interest in and to the invention or improvement in a GOLF CLUB HEAD WITH SHORTENED HOSEL AND FERRULE, Case G-29, described in an application for Letters Patent of the United States, executed by me of even date herewith, and all right, title and interest in and privileges under the Letters Patent that may be granted therefor, and also the right to patent said invention in any and all foreign countries, in the name of VARDON GOLF COMPANY, INC., or in the name of any nominee of said corporation as I may elect. Said application was executed on October 27, 1997.

I hereby authorize and request that any and all patents for the said invention be issued to said assignee, its successors, assigns and legal representatives, or to its other nominees.

I hereby agree to execute all such other and further applications for patents, assignments and papers as may be necessary or desirable to obtain or maintain Letters Patent, or continuations, renewals, reissues or extensions thereof, for protecting and securing the said invention in any and all countries, and to vest title thereto in said assignee, its successors, assigns, legal representatives, or nominees, and that I will, upon request, sign all such applications, assignments and papers, take all rightful oaths and perform such other lawful acts which may be necessary or convenient in the premises, all without charge to but at the expense of said assignee, its successors, assigns and legal representatives or nominees.

I covenant with said assignee, its successors, assigns, legal representatives and nominees that the rights and property herein conveyed are free and clear of any adverse assignment, grant, mortgage, license, and every other encumbrance, and that I have full right to convey the same in manner and form as herein expressed.

Signed at Elk Grove Village, Illinois, this 27th day of October, 1997.



Scott R. Longueil

STATE OF ILLINOIS)
COUNTY OF COOK)

Subscribed and Sworn to before me this 27th day of October, 1997.

(SEAL)



Notary Public
My commission expires 10-18-01.



09820566-032901

ASSIGNMENT AND AGREEMENT

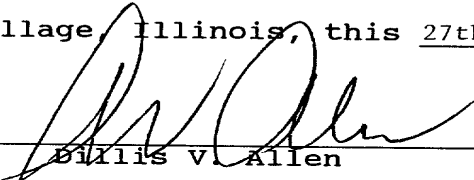
In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, I, Dillis V. Allen, residing at 31W211 Route 58, Elgin, Illinois 60120, do hereby sell, assign and transfer to VARDON GOLF COMPANY, INC., 1080 Nerge Road, Suite 205, Elk Grove Village, Illinois 60007, and its successors, assigns and legal representatives, the entire right, title and interest in and to the invention or improvement in a GOLF CLUB HEAD WITH SHORTENED HOSEL AND FERRULE, Case G-29, described in an application for Letters Patent of the United States, executed by me of even date herewith, and all right, title and interest in and privileges under the Letters Patent that may be granted therefor, and also the right to patent said invention in any and all foreign countries, in the name of VARDON GOLF COMPANY, INC., or in the name of any nominee of said corporation as I may elect. Said application was executed on October 27, 1997.

I hereby authorize and request that any and all patents for the said invention be issued to said assignee, its successors, assigns and legal representatives, or to its other nominees.

I hereby agree to execute all such other and further applications for patents, assignments and papers as may be necessary or desirable to obtain or maintain Letters Patent, or continuations, renewals, reissues or extensions thereof, for protecting and securing the said invention in any and all countries, and to vest title thereto in said assignee, its successors, assigns, legal representatives, or nominees, and that I will, upon request, sign all such applications, assignments and papers, take all rightful oaths and perform such other lawful acts which may be necessary or convenient in the premises, all without charge to but at the expense of said assignee, its successors, assigns and legal representatives or nominees.

I covenant with said assignee, its successors, assigns, legal representatives and nominees that the rights and property herein conveyed are free and clear of any adverse assignment, grant, mortgage, license, and every other encumbrance, and that I have full right to convey the same in manner and form as herein expressed.

Signed at Elk Grove Village, Illinois, this 27th day of October, 1997.



Dillis V. Allen

STATE OF ILLINOIS)
COUNTY OF COOK)

Subscribed and Sworn to before me this 27th day of October, 1997.

(SEAL)



Notary Public
My commission expires 10-18-01.



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FO62E0 89502660